

CHAPTER 267

PARTIES TO ACTIONS

H. F. 226

AN ACT to amend, revise and codify section seven thousand eighty-five (7085) of the compiled code of Iowa, relating to parties to actions.

Be it enacted by the General Assembly of the State of Iowa:

That section seven thousand eighty-five (7085) of the compiled code of Iowa is amended, revised and codified to read as follows:

- 1 SECTION 1. Plaintiffs joined. All persons having an interest in
- 2 the subject of the action, and in obtaining the relief demanded, may
- 3 join as plaintiffs, except as otherwise provided. Where two (2) or
- 4 more persons claim a right of recovery against the same party or
- 5 parties on like causes of action cognizable in equity, they may join
- 6 as parties plaintiff, and relief may be granted to each according to
- 7 his interest.

[C. C. 7085, modified.]

Approved March 9, A. D. 1923.

CHAPTER 268

INSTRUCTIONS

H. F. 232

AN ACT to amend, revise, and codify sections seven thousand five hundred (7500) to seven thousand five hundred five (7505), inclusive, of the compiled code of Iowa, relating to instructions.

Be it enacted by the General Assembly of the State of Iowa:

That sections seven thousand five hundred (7500) to seven thousand five hundred five (7505), inclusive, of the compiled code of Iowa are amended, revised, and codified to read as follows:

- 1 SECTION 1. Instructions requested. At the conclusion of the evi-
- 2 dence, any party may file with the clerk and present to the court con-
- 3 secutively numbered instructions to the jury on points of law with
- 4 the request that they be given. The court may at any time before
- 5 final submission of the case to the jury grant leave to any party to
- 6 file a request for the giving of additional instructions.

[C. C. 7500, modified.]

- 1 SEC. 2. Duty of the court as to instructions asked. The court shall
- 2 either give or refuse to give, or modify and give the instructions
- 3 requested and make a memorandum of the decision on the margin
- 4 thereof. If the court give any instruction with a modification, the
- 5 same shall not be indicated on the instruction requested by inter-

6 lineation or erasure but shall follow some such characterizing words
7 as "changed thus", indicating that the same was refused as requested.
[C. C. 7500, 7502, 7504; modified.]

1 SEC. 3. **Instructions given by the court.** The court shall instruct
2 the jury as to the law applicable to all the material issues in the case
3 and such instructions shall be in writing and in consecutively num-
4 bered paragraphs and shall be read to the jury without oral or other
5 comment or explanation.

[C. C. 7500, 7504, modified.]

1 SEC. 4. **Record.** All instructions requested or given shall be filed
2 by the clerk and be a part of the record.

[C. C. 7503, modified.]

1 SEC. 5. **Instructions—exceptions.** Any party may take and file
2 exceptions to the instructions of the court or any part of the instruc-
3 tions given or to the refusal to give any instructions as requested
4 within five (5) days after the verdict in the cause is filed or within
5 such further time as the court may allow and may include the same
6 or any part thereof in a motion for a new trial, but all such exceptions
7 shall specify the part of the instructions as excepted to, or of the
8 instructions requested and refused and the grounds of such exceptions.

[C. C. 7501, 7505, modified.]

Approved March 8, A. D. 1923.

CHAPTER 269

COSTS

H. F. 233

AN ACT to amend, revise and codify section seven thousand six hundred fourteen (7614) of the compiled code of Iowa, relating to costs.

Be it enacted by the General Assembly of the State of Iowa:

That section seven thousand six hundred fourteen (7614) of the compiled code of Iowa is amended, revised and codified to read as follows:

1 SECTION 1. **Recoverable by successful party.** Costs shall be recov-
2 ered by the successful against the losing party. The losing party,
3 however, shall not be assessed with the cost of mileage of any wit-
4 ness for a distance of more than one hundred (100) miles from
5 the place of trial, unless otherwise ordered by the court at the time
6 of entering judgment.

[C. C. 7614, modified.]

1 SEC. 2. **Apportioning costs.** Where the party is successful as to
2 a part of his demand, and fails as to part, unless the case is otherwise